

Background Information: The applicant requests approval for Site Development Review for construction of a new multi-family housing complex. The subject property consists of 13.26 acres and is addressed as 16380 SW Langer Drive, Tax Map 2S1 29CB 00400, with a zoning designation of Retail Commercial – RC. The majority of the subject site is currently developed and actively used as a commercial retail market center with existing paved parking, landscaping and signage specific to the retail commercial buildings. The eastern-most portion of the property is undeveloped and comprises approximately 3.43 acres of the total 13.26-acre piece. It is this approximate 3.43 acres of the overall 13.26-acre site that will be developed as the multi-family housing project. The remaining 9.83 acres will continue to function as a commercial retail market center.

The project proposes 82 dwelling units to be contained in six different buildings. There will be a total of 6 studio units; 41 one-bedroom units; 29 two-bedroom units and 6 three-bedroom units. The largest building is 16,846 square feet and the smallest building is 4,374 square feet. The smallest 3,516-square foot building will utilize 2,782 square feet as dwelling units and the remaining 1,054 square feet as the leasing/management office. The project will also provide three detached garages for residential parking. These garage spaces are in addition to the number of parking spaces required by the parking standards. The parking standards require 128 parking spaces, and the project will provide a total of 139 parking spaces dedicated for the proposed residential use, of which 5 will be ADA parking spaces with the required passenger-side loading/unloading area. 17 of these 139 parking spaces will have a carport covering. The proposed residential parking area will be dedicated solely for the residents and their guests. Customers from the commercial buildings will not be allowed to use the apartment complex parking lot. 18 bicycle parking spaces are proposed, with 12 short-term spaces and 6 long-term covered bicycle parking spaces.

The entire residential complex will be located behind the existing commercial buildings. No new approaches or accesses from public streets are being provided or proposed. The commercial buildings currently have four approaches on SW Langer Drive. These existing approaches will continue to be utilized for the commercial space as well as being shared with the proposed residential development. Street trees and any required street frontage improvements will take place along the northeast 209 feet of the property's SW Langer Drive frontage. This is the linear footage of the undeveloped portion of the site that is proposed to be utilized as part of this residential-use application.

Sewer, water and storm are available from existing lines in SW Langer Drive. Service lines for the proposed development will be installed and connected into the existing main lines.

The site does not contain any known flood plain, drainage hazard area, significant natural resource area, natural hazard area or bodies of water. The site does not contain any wetlands, vegetated corridors or fish and wildlife habitat.

SHERWOOD MUNICIPAL CODE (Code)
TITLE 16 – ZONING AND COMMUNITY DEVELOPMENT CODE

Division I GENERAL PROVISIONS

Chapter 16.04 ESTABLISHMENT OF ZONING DISTRICTS

Response: The subject property is identified on the City of Sherwood's Official Zoning Map as being in the Retail Commercial (RC) zoning district.

Division II LAND USE AND DEVELOPMENT

Chapter 16.22 COMMERCIAL LAND USE DISTRICTS

Response: As stated above, the subject property is in the Retail Commercial (RC) zoning district. The RC zoning district, as stated in the Code, provides "areas for general retail and service uses that neither require larger parcels of land, nor produce excessive environmental impacts as per Division VIII". The subject property consists of 13.26 acres, with approximately 3.43 acres of the 13.26-acre site being utilized for the proposed residential housing development. The proposed project is to add a multi-family housing complex to the undeveloped eastern strip of the parcel, behind the existing single-story commercial retail buildings. The proposed additional use does not require a larger parcel of land, nor will it produce any environmental impacts as there will be no manufacturing or industry involved in the proposed use. The site already experiences a high volume of vehicular traffic for utilization of the commercial buildings. Noise is limited to the general noises associated with everyday living in a residential setting.

The use table in Section 16.22.020 lists multi-family housing as a permitted use in the RC zoning district. However, the use is subject to the dimensional requirements of the High Density Residential (HDR) zone from Section 16.12.030 and the multi-family housing must be located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings. In this case, the commercial buildings are existing single-story buildings. The multi-family housing will not be on the upper floors of the existing commercial buildings; rather the proposed housing will be new and separate structures located behind the existing commercial structures, therefore meeting the "in the rear of" portion of the Code's requirement.

The Code states, in a footnote, that the residential portion of the mixed use development is only considered secondary when traffic trips generated, dedicated parking spaces, signage and the road frontage of the residential structures are exceeded by that of the commercial portion of the site and the commercial portion of the site is located primarily on the ground floor. As discussed above, the commercial portion of the site is existing as single-story buildings, and thus on the ground floor.

The commercial buildings have approximately 570 feet of building frontage facing the property's western SW Langer Drive frontage. The proposed apartment buildings are behind the commercial buildings. Only one of the proposed apartment buildings is directly facing the property's northern SW Langer Drive frontage, with an approximate building frontage of 80 feet. Traffic trips generated by the commercial site, at the two existing approaches, total 1,517 during the pm peak hours as per the traffic study performed by Kittleson & Associates, Inc. (see Figure 5 of the attached traffic study). Trips estimated to be generated by the proposed residential use are 545 net new weekday daily trips (see page 2 of the attached traffic study). There are 416 existing parking spaces dedicated for the commercial buildings. There are 139 parking spaces proposed for the residential use. There is approximately 490 square feet of monument/pylon signage existing for the commercial uses, and this application proposes a free-standing sign of approximately 35 square feet in area for the proposed residential complex. As can be seen by a review of the aforementioned numbers, then, the traffic trips, parking spaces, signage and road frontage of the commercial area is all greater in number than that proposed for the residential; thus, the proposed application meets the qualification for "secondary" as per the Code's footnote definition of "secondary".

Chapter 16.12 RESIDENTIAL LAND USE DISTRICTS

Response: As per Section 16.22.020 of the Code, because the proposal is for a multi-family housing project in the RC zone, the dimensional requirements for the HDR zone from Section 16.12.030 are utilized in place of those of the RC zone. The HDR zoning district provides for higher density multi-family housing with a density of 16.8 to 24 dwelling units per acre. The area of the subject property utilized for the proposed residential project consists of 3.43 acres which equates to a minimum density of 57 dwelling units and a maximum density of 82 dwelling units. The proposal is for 82 dwelling units, which meets both the minimum and maximum density requirements for the acreage of the site devoted to residential use.

The Code requires a minimum of 8,000 square feet of area for the first two dwelling units and an additional 1,500 square feet for each additional unit after the first two. The proposed project, then, requires 8,000 square feet for the first two units and an

additional 120,000 square feet for each of the additional 80 units after the first two, for a total of 128,000 square feet. The subject site is one large tax lot of 13.26 acres; however, the area of the subject property designated for the proposed housing development is 3.43 acres or 149,410.8 square feet. The lot area requirement, therefore, has been exceeded both for the portion of the site that is being utilized for the residential development as well as the total acreage of the entire parcel.

The Code requires a minimum lot width at the front property line of 25 feet and a minimum lot width at the building line of 60 feet. The minimum lot depth requirement is 80 feet. The subject parcel has SW Langer Drive street frontage on its west boundary in the amount of 448.37 feet, its northwesterly boundary of 282.12 feet and its north boundary street frontage of 565.89 feet. The depth of the subject parcel along the east boundary is 718.49 feet. The existing commercial buildings face the west SW Langer Drive street frontage. The proposed residential buildings will be behind the existing commercial buildings, with access being taken from the north property line, making it the front property line for the residential buildings. All of the property lines are over 80 feet in length, including the front north property line, so the minimum width and depth requirements are met.

The maximum allowable height is 40 feet or 3 stories. The elevations, depicted on Sheets A2.01 through A2.08 of the submitted drawings, show Building A at 35' – 7 ¾" high; Building B at 29' – 3 3/8" high; Building C at 29' – 3 3/8" high; and Building D at 29' – 3 3/8" high. None of the proposed buildings exceed the 40-foot maximum allowable height.

There is a front yard setback requirement of a minimum of 14 feet. The front property line for the residential development is the north property line, since access is from the existing northerly SW Langer Drive approach. This, then, makes the south property line the rear property line and the east and west lines are side property lines. As detailed on Sheet A1.01 of the submitted drawings, all of the proposed buildings are over 7 feet from the east and west (side) property lines. The northern-most building is right at the minimum 14-foot front setback requirement from the front property line. All others are well over 14 feet from the north front property line. The southern-most building is right at the minimum 20-foot rear setback requirement from the south rear property line. All other buildings are well over 20 feet from the south rear property line.

Chapter 16.58 CLEAR VISION AND FENCE STANDARDS

16.58.010 – Clear Vision Areas

- A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or intersection of a street with an alley or private driveway.

Response: The subject property is not a corner lot, it does not have any intersecting streets or intersections of streets with railroads. However, SW Langer Drive does intersect with an existing private approach on the north boundary. This intersection at the north SW Langer Drive property line and the existing private driveway, then, is considered an area that needs to be maintained as a clear vision area.

- B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where, the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.

Response: Sheet L1.2 of the Planting Plan identifies the vision clearance triangle around the northern approach.

- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2 ½) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street side.

The following requirements shall govern clear vision areas:

1. In all zones, the minimum distance shall be twenty (20) feet.
2. In all zones, the minimum distance from corner curb to any driveway shall be twenty-five (25) feet.
3. Where no setbacks are required, buildings may be constructed within the clear vision area.

Response: As illustrated on Sheet L1.2 of the Planting Plan, the clear vision triangular area is free from plantings, sight-obscuring fencing, walls, structures and any other temporary or permanent obstructions exceeding 2 ½ feet in height. This is not a corner lot, so the corner curb dimension of 25 feet is not applicable. There are setbacks required for the buildings, and the buildings meet the minimum front, side and rear setbacks as noted previously in this narrative and as depicted on Sheet A1.01 of the submitted plan set.

16.58.020 – Fences, Walls and Hedges

Response: This application does not propose any walls or hedges. As noted on Sheets L1.2 and L1.3 (Planting Plan), a solid, six-foot tall sight-obscuring cedar fence is proposed along the entire eastern property line of the subject property, as well as along the east 387 feet of the southern property line. The proposed fencing is not in any front setback area and is not in the vision triangle area, nor is it adjacent to a public pedestrian access way or alley. The finished side of the fence will face the neighboring property, and this has been noted as Note #9 on Sheet L1.2 and Sheet L1.3.

Division III ADMINISTRATIVE PROCEDURES

Chapter 16.70 GENERAL PROVISIONS

16.70.010 – Pre-Application Conference

Response: A pre-application conference for this project was held on August 3, 2015. The planning staff contact at the meeting was Michelle Miller. A copy of the notes from the pre-application conference is attached as Exhibit A in this submittal package.

16.70.020 – Neighborhood Meeting

Response: A Neighborhood Meeting for this project was held on January 4, 2016. There were four adjacent property owners in attendance at the meeting, in addition to the developer, the developer's architect and the project planner. The Neighborhood Meeting Sign-in Sheet, the Affidavits of Mailing and a summary of the meeting notes have been included with this application packet, identified as Exhibit B.

16.70.030 – Application Requirements

A. Form

Response: The required Application for Land Use Action has been obtained from the City of Sherwood and is herewith included in this submittal. The original signatures of the property owner/legal representative/applicant are contained on the submitted application.

B. Copies

Response: This application package includes one complete electronic copy of the full application packet via a CD, and three complete application packet sets. Additional

required copies will be submitted when the application is deemed complete by City staff.

C. Content

Response: The appropriate fee check for the Type IV application has been submitted with this application package. The required Neighborhood Meeting materials are identified as Exhibit B, included as an attachment to this package. A Tax Map obtained from the Washington County Assessor's website is attached as Exhibit C. Also included with the submittal are the following items: two sets of mailing labels for property owners of record within 1,000 of the subject site; a Vicinity Map which is depicted on the Existing Conditions Map; the narrative; two copies of a current preliminary title report; the Existing Conditions Map identified as Sheet 2 of the plan drawing set; the Preliminary Site Plan identified as Sheets A1.01, A1.02, and A1.03; and, a traffic study. The subject property does not contain any wetlands, so a wetland assessment and delineation is not applicable.

DIVISION IV PLANNING PROCEDURES

Chapter 16.80	PLAN AMENDMENTS
Chapter 16.82	CONDITIONAL USES
Chapter 16.84	VARIANCES
Chapter 16.86	TEMPORARY USES

Response: This application is not requesting any plan amendments, conditional uses, temporary uses or variances/adjustments to/from the Code.

DIVISION V COMMUNITY DESIGN

Chapter 16.90 SITE PLANNING

16.90.020 – Site Plan Review

A. Site Plan Review Required

Site Plan review is required prior to any substantial change to a site or use that does not meet the criteria of a minor or major modification, issuance of buildings permits for a new building or structure...

Response: This application is for approval of new apartment buildings. The buildings will require issuance of building permits, therefore Site Plan Review is required.

D. Required Findings

No site plan approval will be granted unless each of the following is found:

- 1. The proposed development meets applicable zoning district standards and design standards in Division II, and all provisions of Divisions V, VI, VIII and IX.*

Response: Divisions I through IX of the Code have all been addressed throughout this narrative under the appropriate division, chapter and section headings.

- 2. The proposed development can be adequately served by services conforming to the Community Development Plan, including but not limited to water, sanitary facilities, storm water, solid waste, parks and open space, public safety, electric power, and communications.*

Response: The subject property already utilizes water, sanitary facilities, storm water facilities, electric power and communications. Water, sewer and storm lines will be extended, and/or increased in size if necessary, to accommodate the new buildings being added to the existing site. Power and communications lines will also be extended from what is existing to the portion of the site that is intended for the residential development. The Preliminary Utilities Plan identifies proposed utility lines for the project. The site is currently served by the City of Sherwood's public safety agencies, which will continue to serve the additional apartment buildings. The development is proposing open space, usable recreation areas and landscaping for use by the future residents. The Planting Plan (Sheets L1.2 and L1.3) and Preliminary Site Plan (Sheets A1.01, A1.02 and A1.03) illustrate these areas. Solid waste and recyclable items will be disposed of in proposed trash enclosures located within the residential development to then be picked up for removal on a weekly basis by the local waste and recycling service. The project proposes two trash enclosure areas – one in the northeasterly portion of the site and one at the south end of the site, just west of the southern-most apartment building.

- 3. Covenants, agreements, and other specific documents are adequate, in the City's determination, to assure an acceptable method of ownership, management, and maintenance of structures, landscaping, and other on-site features.*

Response: The lease for the property has been included as part of this application package as Exhibit D. The applicant, doing business as Mercury Development, will ensure that the property is well-maintained and secure, that the residential parking areas are maintained and that the residential landscaped and recreational areas are clean and weed-free. Mercury Development is a full-service asset and property management company with over 50 years of experience managing commercial properties.

4. *The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation (including but not limited to environmentally sensitive lands), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.*

Response: The subject property does not contain any significant natural features, drainage ways, wetlands, scenic views or significant topographical features. Existing vegetation largely consists of pasture grass, which will be cleared and graded to allow for construction of the buildings and parking areas. However, landscaped areas will be provided as replacement. Of the 3.43-acre area being used for the residential development, 35% of the total area will be landscaped. Included in that 35% of landscaping is 33,317 square feet of open space. 16,646 square feet of the 33,317-square feet of open space has been set aside as usable recreation area. Sheet A1.01 depicts the square footages and percentages of the open space/recreational areas. Sheets L1.2 and L1.3 of the submitted Planting Plan depict the proposed plantings, trees and recreational equipment to be featured in the development.

5. *For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant must provide adequate information, such as a traffic impact analysis (TIA) or traffic counts, to demonstrate the level of impact to the surrounding transportation system. The developer is required to mitigate for impacts attributable to the project, pursuant to TIA requirements in Section 16.106.080 and rough proportionality requirements in Section 16.106.090. The determination of impact or effect and the scope of the impact study must be coordinated with the provider of the affected transportation facility.*

Response: A traffic study completed by Kittleson & Associates, Inc. has been completed for this development and has been included with the application package. The study recommended the following items:

- Shrubbery and landscaping, as well as above-ground utilities and signage near the site access points should be located and maintained to ensure adequate sight distance. **(Sheet L1.2 depicts the vision triangle area at the north SW Langer Drive approach showing that is clear of obstructions.)**
- Speed bump installations along the south and east side of Sherwood Plaza should be considered. **(The applicant will install the suggested speed bumps should the City recommend such installation as a condition of approval of this project.)**
- A sidewalk facility should be provided between the site and SW Langer Drive to facilitate pedestrian movements to/from the proposed development. **(The submitted Sheet A1.01 Preliminary Site Plan shows a pathway system in the**

residential development linking all of the proposed buildings with the residential parking area, landscaped areas and the sidewalk along SW Langer Drive.)

- The intersections of SW Langer Drive/99@ right-in/right-out and SW Baler Way/SW Tualatin-Sherwood Road should be monitored by the City of Sherwood for potential traffic control modifications, if the historical safety problems persist. **(This pertains to the City of Sherwood, not the applicant/developer.)**

6. *The proposed commercial, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards include the following:*

- a. *Primary, front entrances are located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.*

Response: Sheet A1.01 shows a proposed six apartment buildings. All three of the buildings located along the east property line have primary, front entrances located and oriented to SW Langer Drive along the property's west boundary. The building at the south end has a primary, front entrance located and oriented to SW Langer Drive along the property's north boundary. The final two buildings, one located in the middle of the site and the other located at the northern-most area of the site, do not have primary, front entrances oriented to a public street, but they do have primary, front entrances located and oriented directly to the private drive aisle and parking area. The primary front entrances to the buildings are found off of alcoves that create 10-foot wide by 19-foot deep reliefs in the building massing. These areas have roof cover that stretch the entire length and width of the alcove, including over the stairs that lead to the upper units. The building façade at these entry processions uses color and unique material composition in a way that announces them as the primary entrances.

- b. *Buildings are located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.*

Response: This is a unique residential development in that it is being developed on a piece of property which has existing primary uses of a commercial retail market center and various other single-building retail businesses. Because the subject property is zoned Retail Commercial RC, the residential use **must be secondary** to the primary commercial use. One of the qualifying features of being "secondary" to the primary commercial use is having the residential buildings located behind the commercial building. Sheet 1 of the submitted plan drawings shows the location of the proposed residential building as being located behind the existing retail buildings, and thus

secondary to the existing retail uses. Because of this "secondary" qualifier, the most of proposed residential buildings can't be immediately adjacent to/flush with the existing public SW Langer Drive. The majority of the proposed buildings are as close as they possibly can be to SW Langer Drive, given the fact that they have to be behind the existing commercial structures. Also, the two proposed buildings in the northeast corner are as adjacent to and flush with SW Langer Drive as is possible given the perimeter buffer landscaping and front setback requirements.

Finally, although there aren't any public streets inside the residential development with which the proposed apartment buildings can be immediately adjacent to/flush with, the placement of the proposed apartment buildings has been designed around the private drive aisle/parking area. While this area is not a public street, it still serves as the access to the residential units. The buildings are all immediately adjacent to and flush with the proposed private drive aisle/parking area, thus meeting the intent of this portion of the Code, along with the placement of the buildings being as close to SW Langer Drive as is possible given the requirements for perimeter buffer landscaping, setback requirements and the requirement of the apartment buildings being behind the commercial buildings. The buildings have been oriented in a way that promote community and safety. The living rooms, balconies and entryways of each unit are oriented toward the site circulation and SW Langer Drive to "keep eyes" on the street and community, promoting a secure and friendly pedestrian experience.

- c. *The architecture of buildings are oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding are prohibited. Street facing elevations have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain are required unless other architectural elements are provided for similar protection, such as an arcade.*

Response: The proposed buildings are designed to be used as apartments. The intent of this project is to provide a housing development with varying sizes of units, parking and bicycle parking amenities, landscaping and on-site recreational areas and an onsite leasing/management office such that the final product will result in long-term continued use as apartments. An internal system of sidewalks is being provided which connects the buildings with the parking areas, the bicycle parking areas, the landscaped areas, the recreational areas, the public sidewalk along SW Langer Drive and the on-site commercial center to the west of the apartment buildings. Residents have the possibility of being employed in one of the on-site commercial businesses, and thus, with the project's provision of the aforementioned amenities, would be able to live, work and play in the proposed development as a pedestrian, without reliance on a vehicle.

Aluminum, vinyl and T-111 siding are not being used for this project. The finishes that will be used are noted on Sheet A2.01 of the submitted drawings. Finishes are listed as follows: vertical cedar planks, painted stucco, painted hardie lap siding, wood fascia board painted to match the hardie panel and cedar trim board.

There are no roof awnings for the project, but roof cover is provided. The perspective view for each building's elevation gives a good illustration of the roof cover for each of the buildings. Sheet A2.02 shows the perspective view for Building A. Sheet A2.04 shows the perspective view for Building B. Sheet A2.06 shows the perspective view for Building C. Sheet A2.08 shows the perspective view for Building D. The purpose of these covers is to provide protection from the rain.

Project fenestrations include a mix of fixed, double-hung and casement windows along with glazed patio doors and a small amount of storefront glazing. The storefront glazing includes divisions to maintain the scale of the greater residential design. The larger groups of windows on the backside of the residential elevations contain vertical and horizontal reliefs. The windows found at the front side of the residential elevations are smaller in scale and use the cladding materials to interject between them to create breaks between the glazing units. There is 24% of glazing facing west towards SW Langer Drive, with 4,395 square feet of openings to 18,555 square feet of wall area, and 19% of glazing facing north towards SW Langer Drive, with 2,281 square feet of openings to 11,828 square feet of wall area.

Chapter 16.92 LANDSCAPING

16.92.010 – Landscaping Plan Required

Response: This development requires a site plan, and thus a landscaping plan is also required pursuant to Section 16.92.010. The required Landscaping Plan has been submitted as part of this application package, identified as Sheet L1.1 Existing Tree Inventory, Sheet L1.2 Planting Plan, Sheet L1.3 Planting Plan and Sheet L1.4 Planting Details.

16.92.20 – Landscaping Materials

A. Type of Landscaping

Required landscaped areas shall include an appropriate combination of native evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plantings. Trees to be planted in or adjacent to public rights-of-way shall meet the requirements of this Chapter. Plants may be selected from the City's "Suggested Plant Lists for Required Landscaping Manual" or suitable for the Pacific Northwest climate and verified by a landscape architect or certified landscape professional.

1. *Ground Cover Plants*

- a. *All of the landscape that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses. Mulch is not a substitute for ground cover, but is allowed in addition to the ground cover plants.*
- b. *Ground cover plants other than grasses must be at least four-inch pot size and spaced at distances appropriate for the plant species. Ground cover plants must be planted at a density that will cover the entire area within three (3) years from the time of planting.*

Response: The Planting Plan, identified as Sheets L1.2 and L1.3, shows all proposed landscaped area as being covered with a combination of trees, shrubs, grasses, groundcovers and lawn. Mulch is not being used as a substitute for ground cover. As noted on Sheet L1.2 and Sheet L1.3, ground cover plants are either 4" pots at 12" on center, one-gallon pots at two feet on center or one gallon pots at three feet on center. The ground cover requirements have been met with the proposed plan. It has been noted on Sheet L1.2 in Note No. 8 that selected ground cover will be planted at a density to cover the entire intended area within three years of planting.

2. *Shrubs*

- a. *All shrubs must be of sufficient size and number to be at full growth within three (3) years of planting.*
- b. *Shrubs must be at least the one-gallon container size at the time of planting.*

Response: Sheet L1.2 shows a variety of shrubs to be planted on the site in the proposed landscaped areas. Shrubs at time of planting range in size from two-gallon to five-gallon pots, all of which exceed the minimum planting requirement stated in the Code. It has been noted on Sheet L1.2 in Note No. 8 that all shrubs will be at full-growth within three years of planting.

3. *Trees*

- a. *Trees at the time of planting must be fully branched and must be a minimum of two (2) caliper inches and at least six (6) feet in height.*
- b. *Existing trees may be used to meet the standards of this chapter, as described in Section 16.92.020.C.2.*

Response: Sheet L1.2 shows a variety of trees to be planted on the site. The proposed trees range in height at time of planting from between six feet to 12 feet with calipers ranging between two inches to three inches. All trees will be fully branched at the time of planting, which has been noted in Note No. 8 on Sheet L1.2.

B. *Plant Material Selection and Preparation*

1. Required landscaping materials shall be established and maintained in a healthy condition and of a size sufficient to meet the intent of the approved landscaping plan. Specifications shall be submitted showing that adequate preparation of the topsoil and subsoil will be undertaken.
2. Landscape materials should be selected and sited to produce a hardy and drought-resistant landscape area. Selection of the plants should include consideration of soil type, and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site.

Response: The licensed landscape architect that prepared the submitted Landscaping Plan selected plants appropriate to the site based upon hardiness, exposure to the elements and slope and contours of the site. Notes on Sheets L1.2 and L1.3 indicate that all planting areas will have a minimum of 6" workable topsoil and to till as necessary; to amend all topsoil with 2" of compost; and to spread at a minimum two-inch depth aged compost mulch in all planted areas.

C. Existing Vegetation

1. All developments subject to site plan review per Section 16.90.020 and required to submit landscaping plans per this section shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Review Authority, in addition to complying with the provisions of Section 16.142 (Parks, Trees and Open Space) and Chapter 16.144 (Wetland, Habitat, and Natural Resources).
2. Existing vegetation, except those plants on the Nuisance Plants list as identified in the "Suggested Plant Lists for Required Landscaping Manual" may be used to meet the landscape standards, if protected and maintained during the construction phase of the development.
 - a. If existing trees are used, each tree six (6) inches or less in diameter counts as one (1) medium tree.
 - b. Each tree that is more than six (6) inches and up to nine (9) inches in diameter counts as two (2) medium trees.
 - c. Each additional three (3) inch diameter increment above nine (9) inches counts as an additional medium tree.

Response: An existing tree inventory has been prepared and is included in the plan drawings identified as Sheet L1.1 Existing Tree Inventory. As noted on the inventory, there are a total of 39 existing pine trees in the proposed residential area of the subject site. Thirty-one of the existing pines will be removed. This leaves eight trees remaining with a total 116" DBH.

D. Non-Vegetative Features

1. Landscaped areas as required by this Chapter may include architectural features interspersed with planted areas, such as sculptures, benches, masonry or stone

walls, fences, rock groupings, bark dust, semi-pervious decorative paving, and graveled areas.

2. Impervious paving shall not be counted toward the minimum landscaping requirements unless adjacent to at least one (1) landscape strip and serves as a pedestrian pathway.
3. Artificial plants are prohibited in any required landscaped area.

Response: Artificial plants are not proposed. None of the paving area has been included in the calculated landscaped area. It should be noted there is a pedestrian pathway in the southeast landscape play area providing connectivity between the outer sidewalk area and the landscaped play area. Non-vegetative features include play equipment and benches in the landscaped area provided in the most southeastern corner of the site. Sheet L1.3 of the submitted drawings illustrates the pedestrian pathway, play structure and benches in the southeastern corner.

16.92.30 – Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

1. Perimeter Screening Separating Residential Zones:

A minimum six-foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen, shall be required along property lines separating single and two-family uses from multi-family uses, and along property lines separating residential zones from commercial, institutional/public or industrial zones subject to the provisions of Chapter 16.48.020 (Fences, Walls and Hedges).

- a. For new uses adjacent to inventoried environmentally sensitive areas, screening requirements shall be...
- b. The required screening shall have breaks, where necessary to allow pedestrian access to the site. The design of the wall or screening shall also provide breaks or openings for visual surveillance of the site and security.
- c. Evergreen hedges used to comply with this standard...

2. Perimeter Landscaping Buffer

- a. A minimum ten (10) foot wide landscaped strip comprised of trees, shrubs and ground cover shall be provided between off-street parking, loading, or vehicular use areas on separate, abutting, or adjacent properties.
- b. The access drives to rear lots in the residential zone (i.e. flag lot) shall be separated from abutting property(ies) by a minimum of forty-two-inch sight-obscuring...

3. Perimeter Landscape Buffer Reduction

If the separate, abutting property to the proposed development contains an existing perimeter landscape buffer of at least (5) feet in width, the applicant may reduce the proposed site's required perimeter landscaping...

Response: There is a residential zone on the east and south side of the subject site. Accordingly, a six-foot high sight-obscuring cedar fence is being provided along the

entire eastern property line and along the eastern-most portion of the south property line to act as perimeter screening between the proposed multi-family development and the existing single family uses to the east and multi-family uses to the south. It has been noted in Note No. 9 on Sheet L1.2 and Sheet L1.3 that the finished side of the proposed fence will face the neighboring properties. No fencing will be placed on the north or west side of the residential area to allow for pedestrian access and connectivity between the residential area and the commercial area. No breaks in the southern or eastern fencing have been provided at the specific request the neighboring property owners as a security measure and to eliminate random passers-by utilizing the adjacent properties as short-cut areas to other destinations. The site is not adjacent to an environmentally sensitive area. Evergreen hedges are not being utilized to fulfill the screening requirement. Between the south property line and the southern buildings, there is a minimum 20-foot wide landscape buffer being provided adjacent to the sight-obscuring cedar fence. Between the east property line and the eastern buildings, there is a minimum 11-foot wide landscape buffer being provided adjacent to the sight-obscuring cedar fence. These dimensions are noted on Sheet A1.01 of the submitted plan set. There is a variety of trees, shrubs, grasses, groundcovers and lawn being planted in this southern and eastern perimeter landscape buffer. The types and locations of plants in this area are shown on Sheets L1.2 and L1.3. No reductions to the required perimeter buffer width are being requested. It is also noted that the entire western side of the 3.43-acre residential area will be fully landscaped between the existing pine trees located along this area and the proposed plantings, all of which are shown on Sheets L1.2 and L1.3. This western area of landscaping, both existing and proposed, serves as a buffer between the existing commercial uses and the proposed residential use.

B. Parking Area Landscaping

1. Purpose

The standard is a landscape treatment that uses a combination of trees, shrubs, and ground cover to provide shade, storm water management, aesthetic benefits, and screening to soften the impacts of large expanses of pavement and vehicle movement. It is applied to landscaped areas within and around the parking lot and loading areas.

2. Definitions

a. *Parking Area Landscaping: Any landscaped area on the site that is not required as perimeter landscaping*

b. *Canopy Factor*

(1) Landscape trees are assigned a canopy factor to determine the specific number of required trees to be planted. The canopy factory is calculated based on the following formula: Canopy Factor = Mature Height (in feet) x Canopy Spread (in feet) x Growth Rate Factor x .01

- (2) *Growth Rate Factor: The growth rate factor is three (3) for fast-growing trees, two (2) for medium growing trees, and one (1) for slow growing trees. The growth rate of a tree is identified in the "Suggested Plant Lists for Required Landscaping Manual."*

Response: Planter landscaped islands in the parking area have been provided. The parking landscaping is shown on Sheets L1.2 and L1.3 of the submitted drawings.

3. *Required Landscaping*

There shall be at least forty-five (45) square feet parking area landscaping for each parking space located on the site. The amount of required plant materials are based on the number of spaces as identified below.

Response: The project is proposing to provide 139 parking spaces which equates to a minimum requirement of 6,255 square feet parking area landscaping. This required area has been incorporated into 14 different planter islands and landscaping strips adjacent to the parking lot, as shown on Sheet A1.01, Sheet L1.2 and Sheet L1.3. The entire parking area is separated from landscaping by either a sidewalk or curbing.

4. *Amount and type of Required Parking Area Landscaping*

a. *Number of Trees required based on Canopy Factor*

Small trees have a canopy factor of less than forty (40), medium trees have a canopy factor from forty (40) to ninety (90), and large trees have a canopy factor greater than ninety (90);

(1) Any combination of the following is required:

- (i) One (1) large tree is required per four (4) parking spaces;*
- (ii) One (1) medium tree is required per three (3) parking spaces;*
- (iii) One (1) small tree is required per two (2) parking spaces.*
- (iv) At least five (5) percent of the required trees must be evergreen.*

(2) Street trees may be included in the calculation for the number of required trees in the parking area.

b. *Shrubs:*

(1) Two (2) shrubs are required per each space.

(2) For spaces where the front two (2) feet of parking spaces have been landscaped instead of paved, the standard requires one (1) shrub per space. Shrubs may be evergreen or deciduous.

c. *Ground cover plants:*

(1) Any remainder in the parking area must be planted with ground cover plants.

(2) The plants selected must be spaced to cover the area within three (3) years. Mulch does not count as ground cover.

Response: The landscape parking calculations are noted on Sheet L1.4 in a table titled "Landscape Parking Calculations". This table shows the number of parking spaces, the

number of trees and shrubs required and the number of trees and shrubs provided. Remaining areas are shown as being covered with ground cover plants. Types and sizes of trees, shrubs, grasses and ground cover plants are listed on Sheet L1.2.

5. *Individual Landscape Island Requirements*

- a. *Individual landscaped areas (islands) shall be at least ninety (90) square feet in area and a minimum width of five (5) feet and shall be curbed to protect the landscaping.*
- b. *Each landscape island shall be planted with at least one (1) tree.*
- c. *Landscape islands shall be evenly spaced throughout the parking area.*
- d. *Landscape islands shall be distributed according to the following:*
 - (1) *Residential uses in a residential zone:*
 - (2) *Multi or mixed-uses, institutional and commercial uses: one (1) island for every ten (10) contiguous parking spaces.*
 - (3) *Industrial uses:...*
- e. *Storm water bio-swales may be used in lieu of the parking landscape areas...*
- f. *Exception to Landscape Requirement*
Linear raised or marked sidewalks and walkways within the parking areas connecting the parking spaces to the on-site buildings may be included in the calculation of required site landscaping provided that:...

Response: The dimensions of the proposed landscape islands are shown on Sheets A1.02 and A1.03. The smallest island is 6 feet 9 inches wide by 20 feet long for slightly over 120 square feet in area. All of the landscape islands have curbing around them. Referring to Sheets L1.2 and L1.3, each landscape island shows one tree with the remainder of the island covered in shrubs and/or shrubs, grasses, groundcovers and lawn. The project has 139 parking spaces and 14 parking islands, meeting the requirement of one island for every 10 parking spaces. A review of Sheet A1.03 shows that there are no more than ten parking spaces in a row, anywhere in the project, without having a landscaped planter island. Storm water bio-swales are not being used in lieu of islands, and no exceptions to the landscape requirements are being proposed.

6. *Landscaping at Points of Access*

When a private access-way intersects a public right-of-way or when a property abuts the intersection of two (2) or more public rights-of-way, landscaping shall be planted and maintained so that minimum sight distances shall be preserved pursuant to Section 16.58.010.

Response: Sheet L1.2 shows the proposed landscaping adjacent to where the private approach intersects with SW Langer Drive. The vision triangle area has been depicted at this approach and shows all landscaping is clear of the vision triangle.

7. *Exceptions*

- a. *For properties with an environmentally sensitive area and/or trees or woodlands that merit protection...*
- b. *The maximum reduction in required landscaping buffer permitted...*

Response: The subject site does not contain any environmentally sensitive area and/or trees or woodlands that merit protection. No reductions in the required landscaping buffer are being requested.

C. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas

Response: This project does not contain any outdoor storage or service and delivery areas. Mechanical equipment will be contained within the buildings.

D. Visual Corridors

Except as allowed by subsection 6. Above, new developments shall be required to establish landscaped visual corridors along Highway 99W and other arterial and collector streets...

Response: The subject property is not adjacent to Highway 99W or other arterial and collector streets that require the visual corridor.

16.92.040 – Installation and Maintenance Standards

A. Installation

All required landscaping must be in-ground, except when in raised planters that are used to meet minimum Clean Water Services storm water management requirements. Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.

B. Maintenance and Mitigation of Landscaped Areas

- 1. Maintenance of existing non-invasive native vegetation is encouraged within a development and required for portion of the property not being developed.*
- 2. All landscaping shall be maintained in a manner consistent with the intent of the approved landscaping plan.*
- 3. Any required landscaping trees removed must be replanted consistent with the approved landscaping plan and comply with...*

Response: A landscaping maintenance service will be employed by the applicant to maintain the site's landscaping to acceptable standards. The landscaping plan that has been submitted with this application, represented as Sheets L1.1 through L1.4, will be planted accordingly, if approved, and maintained by the selected landscaping maintenance service. Trees to remain, as indicated on Sheet L1.1, will be protected

during construction with appropriate fencing around the root protection zone as shown. Existing trees to be removed will be replaced as shown on Sheets L1.2 and L1.3.

C. Irrigation

The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All landscaped areas must provide an irrigation system, as stated in Option 1, 2, or 3.

- 1. Option 1: A permanent built-in irrigation system with an automatic controller installed.*
- 2. Option 2: An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The system does not have to be permanent if the plants chosen can survive independently once established.*
- 3. Option 3: Irrigation by hand.*

Response: As noted in Note No. 2 on Sheet L1.2, all landscape areas will be provided with a permanent underground irrigation system by the contractor.

D. Deferral of Improvements

Landscaping shall be installed prior to issuance of occupancy permits, unless security equal to one hundred twenty-five (25) percent of the cost of the landscaping is filed with the City...

Response: The applicant intends to install all landscaping prior to issuance of occupancy permits. Should this become impossible due to plant availability and/or weather, the required security will be filed with the City in accordance with the Code.

Chapter 16.94 OFF-STREET PARKING AND LOADING

Response: Required off-street parking for the residential development will be completed prior to issuance of occupancy permits, weather permitting. Should weather not permit, the required security will be established pursuant to Section 16.94.010.B.

The required parking is based upon the number of bedrooms provided in each of the proposed residential units. No reductions in the required parking spaces are being requested. None of the proposed parking will be used for anything other than the residents and/or guests parking their vehicles. As illustrated on Sheet A1.01, all of the required residential parking is contained immediately adjacent to the proposed apartment buildings. While there are three detached garages being provided for use by the residents, these parking spaces are not included in the calculation of provided parking spaces counting towards the required amount. All parking spaces will be clearly marked and painted to the dimensions shown on the submitted Sheets A1.01, A1.02 and A1.03.

Sheets A1.01, A1.02 and A1.03 show the dimensioned parking spaces, the location of the two private drives accessing the existing commercial area and the existing approaches to SW Langer Drive, the required landscaping areas and the bicycle parking locations. Sheet A1.04 gives the details of the bicycle rack, concrete wheel stop, handicapped parking symbol, van accessible parking sign and elevation of the long-term bicycle cover. The submitted Landscaping Plan (Sheets L1.1, L1.2, L1.3 and L1.4) depicts all of the required landscaping elements in the identified landscaping areas. A Preliminary Grading and Erosion Control Plan (identified as Sheet 3) has been included with the plan submittal and shows the proposed grading areas and storm drainage facilities. Sheet 3 shows construction of new private manholes with grated lids, along with proposed storm drain service lines to be installed on site, a private storm filter 10-cartridge vault and a new manhole over the existing public storm drain main in SW Langer Drive for ultimate discharge after going through the proposed storm filter vault.

The minimum parking requirements for a multi-family development are as follows:

1 per unit over 500 sf
1.25 per 1 bdr unit
1.5 per 2 bdr unit
1.75 per 3 bdr unit

The project proposes the following:

6 studio units over 500 sf	$6 \times 1 = 6$ spaces
41 one-bedroom units	$41 \times 1.25 = 51.25$
29 two-bedroom units	$29 \times 1.5 = 43.5$
6 three-bedroom units	$6 \times 1.75 = 10.5$

This gives a total requirement of 111.25 spaces. Additionally, the Code requires providing an additional 15% of the required number of parking spaces for the use of guests of the residents of the development.

$111.25 \times 15\% = 16.69$ additional spaces

$111.25 + 16.69 = 127.94$ spaces

Grand total of 128 required spaces

Sheet A1.01 of the Preliminary Site Plan lists these calculations and shows the physical location of 139 provided spaces, which exceeds the minimum requirement of 128 spaces. There aren't any maximum requirements for multi-family developments.

Stall dimensions are noted on Sheets A1.02 and A1.03. Standard spaces show dimensions of 9 feet wide by 20 feet long. 18 of the 139 provided spaces are designed for compact cars, at smaller dimensions than the standard spaces, with signage provided designating these spaces for compact cars only. There are also 5 ADA spaces being provided with the required signage posted and van loading/unloading area on the passenger side. The required 24-foot wide drive aisle is also depicted as two-way traffic on Sheets A1.01, A1.02 and A1.03.

All of the proposed parking spaces are adjacent to either landscaping or sidewalks. Required wheel stops in the parking spaces are depicted, with a detail provided as Detail No. 2 on Sheet A1.04. The wheel stops are shown as being three feet back from the front of the parking stall and are four inches high.

This is a residential development and, as such, does not contain any service drives that need to be delineated. No credits for on-street parking are being requested. No reductions in the required parking spaces are being requested.

Bicycle parking spaces are required for a multi-family housing development. Multi-dwelling projects required 2 bicycle spaces per 10 auto spaces. When the requirement is for more than eight bicycle parking spaces, at least 25% of the provided bicycle spaces need to be provided as long-term bicycle parking spaces.

In this case, the project is providing 139 automobile spaces. 139 divided by 10 equals 13.9 or 14 bicycle spaces – which is more than eight – so 25% of 14 equals 3.55 or 4 long-term bicycle spaces. The requirement, then, is a total of 14 bicycle spaces, with 4 of those 14 being long-term. The Preliminary Site Plan shows the area for 6 long-term spaces in the southeast corner of the project, adjacent to a sidewalk for easy access. There are two areas providing short-term spaces, each area having three racks for six spaces, with a combined total of 12 short-term spaces. With the 12 short-term and 6 long-term, the project is providing 18 bicycle parking spaces which exceeds the minimum requirement. All of the spaces are located adjacent to a sidewalk, with no structures around them, so the area is free for bicycle maneuvering. Detail No. 1 on Sheet A1.04 shows the typical bicycle rack to be provided. Detail No. 5 on Sheet A1.04 shows the elevation and dimensions of the long-term bicycle shelter located in the southeastern corner of the site.

Chapter 16.96**ON-SITE CIRCULATION**

Response: The Cover Sheet, which is Sheet 1 of the submitted plan set, and Sheet A1.01, show a complete on-site circulation system. Private sidewalks for pedestrian circulation are being installed throughout the residential area of the subject property - around each building, through the parking area, connecting to the landscaping areas - and connecting to the commercial area of the subject property and the public sidewalk along SW Langer Drive.

The drive aisles in the residential parking areas are 26-foot wide two-way drive aisles. There are two driveways into and out of the residential portion of the development. Access can be taken from an existing approach along the property's north frontage of SW Langer Drive, which will connect to the north end of the residential development and exit out the south end of the residential development, into the commercial portion of the existing development, continuing to a second access approach along the property's westerly frontage of SW Langer Drive. Traffic can flow into and out of any four of the existing SW Langer Drive approaches, through the existing commercial development and into and out of the two proposed residential development accesses internal to the site.

Chapter 16.98**ON-SITE STORAGE**

Response: There will be no material storage or hazardous materials stored on the proposed development, nor will there be any storage of recreational vehicles and equipment. Two trash enclosure areas have been provided for solid waste and recycling storage. They are depicted on the Sheet A1.01, with one being located at the south end of the subject property towards the western edge of the residential development, and the other located towards the north end of the residential development close to the eastern property line. The area of the subject property proposed for this development will be residential in use only. No outdoor sales, food vendors, etc. will be allowed to set up displays or merchandise in the residential area of the site.

Chapter 16.100**PERMANENT SIGNS**

Response: Sheet A1.01 depicts a proposed free-standing sign for the residential development. The proposed sign will be 7 feet wide by 4 feet 6 inches tall, making it slightly less than 35 square feet in area.

DIVISION VI**PUBLIC INFRASTRUCTURE****Chapter 16.106****TRANSPORTATION FACILITIES**

Response: No new public or private streets are proposed as part of this application. The subject property has existing street frontage along SW Langer Drive. Any required street frontage improvements along the property's northeast SW Langer Drive frontage, triggered by this application, will take place as part of this development. Required street trees are shown on Sheet L1.2 of the Landscaping Plan. The required Traffic Study was completed by Kittleson & Associates, Inc. and is included with this application package.

Chapter 16.110 SANITARY SEWERS

Response: Sheet 4 of the submitted drawing set shows the proposed sewer lines and cleanouts for this development. Sewer lines in the form of eight-inch PVC will be installed throughout the residential portion of the site as depicted on Sheet 4. An eight-inch sewer cleanout is proposed at the northeast corner of the site with more eight-inch PVC pipe connecting the proposed cleanout to an existing sewer manhole which is tied to existing sewer main in SW Langer Drive.

Chapter 16.112 WATER SUPPLY

Response: Sheet 4 of the submitted drawing set shows the proposed water lines and backflow prevention device for this development. Water service lines are proposed to be installed throughout the residential portion of the subject property in the form of eight-inch PVC. A fire hydrant is also proposed to be installed at the southwesterly portion of the residential area, connecting to proposed water service lines. The entire proposed system connects with the existing water main in SW Langer Drive at the north end of the property. A backflow prevention device is proposed to be located at the northeasterly portion of the development.

Chapter 16.114 STORM WATER

Response: Sheet 4 of the submitted drawing set shows the proposed storm drainage for the development. Storm lines will be installed throughout in the form of eight-inch PVC, along with a storm drain manholes, storm drainage catch basins and a 10 cartridge storm filter system. Some of the existing public storm drain line in SW Langer Drive, along the property's north property line and to the east, will be replaced with 18-inch PVC. The internal private storm drain line will ultimately connect with this existing public system and the replaced pipes.

Chapter 16.116 FIRE PROTECTION

Response: The project currently proposes installation of one fire hydrant as shown on Sheet 4. This fire hydrant, and any additional fire hydrants that may be required by the

City of Sherwood or the Fire District, will be installed to City of Sherwood/Fire District standards. Additionally, the apartment buildings will contain any required fire sprinkling systems as per the Fire Code and Building Code.

Chapter 16.118 PUBLIC AND PRIVATE UTILITIES

Response: This project does not propose or create any new lots. Most of the subject property is already developed with commercial retail structures that are presently served by public telecommunication utilities and franchise utilities. All applicable utility lines will be extended from their existing locations on the subject property or in the right-of-way to the area that will contain the new residential buildings.

Division VIII ENVIRONMENTAL RESOURCES

Chapter 16.134 FLOODPLAIN (FP) OVERLAY

Response: The subject property is not in a floodplain overlay.

Chapter 16.138 MINERAL RESOURCES

Response: The subject property does not proposed any mineral resource activities, as the proposal is for multi-family housing.

Chapter 16.140 SOLID WASTE FACILITIES

This application is not for any type of solid waste facility, rather it's an application for an 82-unit apartment complex.

Chapter 16.142 PARKS, TREES AND OPEN SPACES

16.142.020 – Multi-Family Developments

A. Standards

Except as otherwise provided, recreation and open space areas shall be provided in new multi-family residential developments to the following standards...

1. Open Space

A minimum of twenty percent (20%) of the site area shall be retained in common open space. Required yard parking or maneuvering areas may not be substituted for open space.

2. Recreation Facilities

A minimum of fifty percent (50%) of the required common open space shall be suitable for active recreational use. Recreational spaces shall be planted in grass or

otherwise suitable improved. A minimum area of eight-hundred (800) square feet and a minimum width of fifteen (15) feet shall be provided.

3. Minimum Standards

Common open space and recreation areas and facilities shall be clearly shown on site development plans and shall be physically situated so as to be readily accessible to and usable by all residents of the development.

4. Terms of Conveyance

Rights and responsibilities attached to common open space and recreation areas and facilities shall be clearly specified in a legally binding document which leases or conveys title, including beneficial ownership to a home association, or other legal entity. The terms of such lease or other instrument of conveyance must include provisions suitable to the City for guaranteeing the continued use of such land and facilities for its intended purpose; continuity of property maintenance; and, when appropriate, the availability of funds required for such maintenance and adequate insurance protection.

16.142.050 – Park Reservation

Response: The subject property is not part of any area designated on the Natural Resources and Recreation Plan Map; therefore, this subsection is not applicable to this application.

16.142.060 – Street Trees

A. Installation of Street Trees on New or Redeveloped Property

Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of approval. The City shall be subject to the same...

1. Location: Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.
2. Size: Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.
3. Types: Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.
4. Required Street Trees and Spacing:
 - a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the

tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.

- b. All new developments shall provide adequate tree planting along all public streets. The number and spacing of trees shall be determined based on the type of tree and the spacing standards described in a. above and considering driveways, street light locations and utility connections. Unless exempt per c. below, trees shall not be spaced more than forty (40) feet apart in any development.
- c. A new development may exceed the forty-foot spacing requirement under section b. above, under the following circumstances:
 - (1) Installing the tree would interfere with existing utility lines and no substitute tree is appropriate for the site; or
 - (2) There is not adequate space in which to plant a street tree due to driveway or street light locations, vision clearance or utility connections, provided the driveways, street light or utilities could not be reasonably located elsewhere so as to accommodate adequate room for street trees; and
 - (3) The street trees are spaced as close as possible given the site limitations in (1) and (2) above.
 - (4) The location of street trees in an ODOT or Washington County right-of-way may require approval, respectively, by ODOT or Washington County and are subject to the relevant state or county standards.
 - (5) For arterial and collector streets, the City may require planted medians in lieu of paved twelve-foot wide center turning lanes, planted with trees to the specifications of this subsection.

B. Removal and Replacement of Street Trees

Response: There will be no removal of any existing Street Trees as part of this project. The planting of required Street Trees is shown on Sheet L1.2.

16.142.070 – Trees on Property Subject to Certain Land Use Applications

C. Inventory

- 1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II – IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:
 - a. Tree size (in DBH and canopy area)
 - b. Tree species
 - c. The condition of the tree with notes as applicable explaining the assessment
 - d. The location of the tree on the site
 - e. The location of the tree relative to the planned improvements
 - f. Assessment of whether the tree must be removed to accommodate the development

- g. Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed
2. In addition to the general requirements of this Section, the tree and woodland inventory's mapping and report shall also include, but is not limited to, the specific information outlined in the appropriate land use application materials packet.

D. Retention requirements

1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading, etc., provided the development satisfies of D.2 or D.3, below.
2. Required Tree Canopy – Residential Developments (Single Family Attached, Single Family Detached and Two-Family)
3. Required Tree Canopy – Non-Residential and Multi-family Developments
Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation $TTr2$ to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies.

The canopy requirement can be achieved by retaining existing trees or planting new trees. Required landscaping trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the required canopy cover. A certified arborist or other qualified professional shall provide an estimated tree canopy for all proposed trees to the planning department for review as a part of the land use review process.

4. The City may determine that, regardless of D.1 through D.3, that certain trees or woodlands may be required to be retained...
 - a. Within a Significant natural Area...
 - b. A landscape or natural feature as per applicable policies of the City Comprehensive Plan...
 - c. Necessary for soil stability and the control of erosion,...
 - d. Necessary in required buffers...
 - e. Otherwise merit retention because of unusual size...
5. Tree retention requirements for properties located within the Old Town Overlay...
6. The Notice of Decision issued for the land use applications...
7. All trees, woodlands, and vegetation located on any private property accepted for dedication to the City for public parks and open space, greenways, Significant Natural Areas, wetlands, floodplains, or for storm water management or for other purposes, as a condition of a land use approval, shall be retained outright, irrespective of size, species, condition or other factors. Removal of any such trees, woodlands, and vegetation prior to actual dedication of the property to the City shall be cause for reconsideration of the land use plan approval.

E. Tree Preservation Incentive

Retention of existing native trees on site which are in good health can be used to achieve the required mature canopy requirement of the development. The expected mature canopy can be calculated twice for existing trees.

F. Additional Preservation Incentives

Response: Sheet L1.1 has been submitted as the required Existing Tree Inventory. The subject property does not contain any wetlands, flood plains or Significant Natural Areas. There are 39 trees currently on the site. The project will retain eight of these trees and remove the remaining existing trees. The trees that are being removed will be replaced with other trees as shown on Sheet L1.2 and Sheet L1.3.

Chapter 16.144 WETLAND, HABITAT AND NATURAL AREAS

Response: The subject property does not contain any wetland, habitat and natural areas. This portion of the Code is not applicable.

Chapter 16.148 VIBRATIONS

Chapter 16.150 AIR QUALITY

Chapter 16.152 ODORS

Response: The proposal is for apartment buildings. No commercial, industrial or manufacturing uses are being proposed that would generate any vibrations, issues with air quality or odors. These sections of the Code are not applicable to this application.

Chapter 16.154 HEAT AND GLARE

16.154.010 – Generally

Except for exterior lighting, all otherwise permitted commercial, industrial, and institutional uses shall conduct any operations producing excessive heat or glare entirely within enclosed buildings. Exterior lighting shall be directed away from adjoining properties, and the use shall not cause glare or lights to shine off site in excess of one-half (0.5) foot candle when adjoining properties are zoned for residential uses.

Response: This proposal is not for any commercial, industrial or institutional use. Rather, it's a residential development, and as such, all new lighting will be conducive to residential living, therefore not causing any glare or excessive shining to either the site itself or adjoining properties. A Lighting Plan has been included as part of this application package, with cut sheets for the two proposed light fixtures shown on the Lighting Plan.

Chapter 16.156 ENERGY CONSERVATION

16.156.020 – Standards

- A. *Building Orientation – The maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems for space, water or industrial process heating or cooling. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest possible number of buildings between the hours of 9:00 am and 3:00 pm, Pacific Standard Time on December 21st.*
- B. *Wind – The cooling effects of prevailing summer breezes and shading vegetation shall be accounted for in site design. The extent solar access to adjacent sites is not impaired vegetation shall be used to moderate prevailing winter wind on the site.*

Response: Some of the buildings have a north-south orientation and some of the buildings have an east-west orientation. The majority of the buildings will be blocked by the existing commercial retain center. Additionally, there is a required perimeter screen of a six-foot tall cedar fence and accompanying landscaping that will be planted on the east property line and eastern portion of the south property line.

DIVISION IX HISTORIC RESOURCES

Response: The subject property is not within a special resource zone. The subject property is not within the Old Town Overlay District. The subject property does not contain any historic or cultural landmarks or landmark designations. Therefore, the provisions of Division IX are not applicable to this application.